

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
JIMMY RIVERA-PAGAN	:	VIOLATIONS:
JOSE VEGAS-TORRES	:	21 U.S.C. § 846 (conspiracy to
IRVING CABASSA-RIVERA	:	possess with intent to distribute
	:	5 kilograms or more
	:	of cocaine - 1 count)
	:	21 U.S.C. § 841(a)(1)(possession
	:	with intent to distribute 5 kilograms or
		more of cocaine - 1 count)

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. On or about September 26, 2006, in the Eastern District of Pennsylvania and elsewhere, defendants

**JIMMY RIVERA-PAGAN,
JOSE VEGAS-TORRES, and
IRVING CABASSA-RIVERA**

conspired and agreed, together and with others unknown to the grand jury, to knowingly and intentionally distribute 5 kilograms or more, that is, approximately 83 kilograms, of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A).

MANNER AND MEANS

It was part of the conspiracy that:

2. The defendants were members of a drug organization that transported at least 83 kilograms of cocaine from San Juan, Puerto to New York City with an intermediate stop in Philadelphia.
3. To avoid detection, the conspirators flew from San Juan, Puerto Rico to New York City on U.S. Airways with an intermediate stop in Philadelphia.
4. The defendants each checked two pieces of luggage at the San Juan Airport, knowing that their luggage would be replaced with luggage that contained cocaine and which would have the same baggage claim check that had been originally affixed to the luggage that the defendants originally checked at the airport.
5. Upon arrival in New York, the defendants planned to pick up the new luggage, which they knew would contain cocaine, from the baggage claim area.

OVERT ACTS

_____ In furtherance of the conspiracy and to accomplish its object, the following overt acts, among others, were committed in the Eastern District of Pennsylvania and elsewhere on or about September 26, 2006:

1. Defendants JIMMY RIVERA-PAGAN, JOSE VEGA-TORRES, and IRVING CABASSA-RIVERA each checked two pieces of luggage at the airport in San Juan, Puerto Rico.
2. Defendants JIMMY RIVERA-PAGAN, JOSE VEGA-TORRES and IRVING CABASSA-RIVERA each boarded US Air Flight #1996 from San Juan, Puerto Rico to Philadelphia International Airport to be followed by a connecting flight to John F. Kennedy

International Airport in New York City.

3. Defendants JIMMY RIVERA-PAGAN, JOSE VEGA-TORRES, and IRVING CABASSA-RIVERA each got off the plane at Philadelphia International Airport and transferred to a connecting flight to John F. Kennedy International Airport in New York City.

4. Defendants JIMMY RIVERA-PAGAN, JOSE VEGA-TORRES, and IRVING CABASSA-RIVERA picked up two pieces of luggage, which contained kilogram of cocaine, from the luggage claim area at the John F. Kennedy International Airport in New York City.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 26, 2006, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

**JIMMY RIVERA-PAGAN,
JOSE VEGAS-TORRES, and
IRVING CABASSA-RIVERA**

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute of, 5 kilograms or more, that is, approximately 83 kilograms, of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)((1) (A), and Title 18, United States Code, Section 2.

A TRUE BILL:

FOREPERSON

**PATRICK L. MEEHAN
UNITED STATES ATTORNEY**